

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

DEON CARTER,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	Case No.: 2:17-cv-00371-RDP
	)	
CITY OF CHILDERSBURG, et al.	)	
	)	<u>UNOPPOSED</u>
DEFENDANTS.	)	

**JOINT MOTION TO CONTINUE TRIAL  
AND EXTEND DEADLINES**

**COME NOW** the parties and respectfully request this Honorable Court continue the trial of this matter and all pertinent deadlines for a period of 120 days, and in support thereof avers as follows:

1. This case is set to be “trial ready” in January 2019.
2. After sustaining alleged injuries in the incident at issue in this lawsuit, Plaintiff was incarcerated for a period of 22 months, during which time he had highly limited access to medical care and treatment.
3. Plaintiff is presently treating and will require further evaluation and treatment of his alleged injuries.
4. The parties agree that additional time is needed to fully evaluate Plaintiff’s alleged injuries, then complete medical and expert discovery in order to be prepared for trial. Otherwise, the parties are still engaged in discovery, having

partially completed depositions and anticipate an additional 120 days would help facilitate completion of trial preparation.

5. The parties intend, upon completion of discovery as set out above, to engage in an attempt at resolution through informal settlement or mediation.
6. A continuance would not prejudice any party.

**WHEREFORE**, above premises considered, the parties request the Honorable Court continue the trial date as is presently set for a period of 120 days, directing the case be “trial ready” by June 2019 and extend all other pertinent deadlines associated therein accordingly.

Respectfully submitted,

s/ Trey J. Malbrough

Trey J. Malbrough

Bar Number: ASB-2898-R46M

Attorney for Plaintiff

THE MALBROUGH FIRM, LLC

Post Office Box 531383

Birmingham, Alabama 35253

T: (205) 701 - 0707

F: (205) 820 - 0123

E: trey@tmbfirm.com

s/ Michael A. Casey, Jr.

Michael A. Casey, Jr.

Bar Number: ASB-3152-A54C

Attorney for Defendants

DONAHUE & ASSOCIATES, LLC

1020 22nd Street South

Birmingham, Alabama 35205

T: 205-871-8858

F: 205-879-1679

E: mcasey@donahue-associates.com